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August 16, 2023

BY ECF

Hon. Jennifer L. Rochon
United States District Court
Southern District of New York
Daniel Patrick Moynihan
500 Pearl Street, New York, NY 10007

Re: *Bensmaine v. City of New York*
Docket 21 civ 4816

Your Honor:

I am co-counsel for the Plaintiff in this matter. I write pursuant to the Court's order dated 7/21/2023 dismissing the above-cited case to request an extension of the deadline to reopen the matter without prejudice. While my client has agreed to the settlement terms, there have been unforeseen delays in his signing of the paperwork due to his being very ill and out of the country. Mr. Bensmaine has signed the requisite paperwork, and we will be providing it to opposing counsel shortly; however, we would like to ensure that opposing counsel has sufficient time to review and finalize everything before the case is closed with prejudice. I have spoken with counsel for the City, and they do not object to a 21-day extension with a new requested deadline of Monday, September 11, 2023.

The parties thank the Court for its time and attention to these matters.

Respectfully Submitted,

/s/ *Sujata S. Gibson*
Co-Counsel for the Plaintiff

Cc: All counsel via ECF